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	38209 7590 03/24/2006		EXAMINER				
STANZIONE & KIM, LLP					MORRISON, THOMAS A		
	919 18TH ST	REET, N	1.W.			_	
	SUITE 440	•			ART UNIT	PAPER NUMBER	
	WASHINGTON, DC 20006				3653		

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Tomas A. Morrison Sets Sets		Application No.	Applicant(s)						
### Disposition of Claims ### Office Action Summary Examiner									
Thomas A. Morrison 3653 **The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. **A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. **If NO period for reply is specified above, the maximum statutory period will apply and will apply and will supple state the making date of this communication. **If NO period for reply is specified above, the maximum statutory period will apply and	Office Action Summary								
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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 26 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,265,869 (Morita).

Regarding claim 26, Figs. 1-2B show a paper-discharging apparatus to discharge paper from an image forming device having paper-discharging rollers, comprising:

a supporting plate (5) positioned at a paper-discharging port side of the image forming device;

a supporting bracket (including 7) including idle rollers (9) facing the paper-discharging rollers (8) and being coupled (via 15) to the supporting plate (5); and a plurality of adjustable elastic members (13 and 13) arranged along lengths of the supporting plate (5) and the supporting bracket (including 7) therebetween to bias the supporting plate (5) and supporting bracket (including 7) apart.

Response to Arguments

2. Applicant's arguments filed 01/10/2006 have been fully considered but they are not persuasive.

Applicant basically argues that newly added claim 26 recites similar features as those recited in independent claims 1, 10, 19, and 24, for example, "a supporting plate," "supporting bracket...being coupled to the supporting plate," and "a plurality of adjustable elastic members arranged along lengths of the supporting plate and the supporting bracket therebetween to bias the supporting plate and supporting bracket apart".

In response, it is noted that newly added claim 26 does not recite all of the features set forth in independent claims 1, 10, 19 and 24. For example, newly added claim 26 does not recite the arrangement of the spacing adjustment unit (e.g., a spacing adjustment unit disposed between the middle portion of the supporting bracket and the supporting plate), as set forth in independent claims 10 and 19. It is the examiner's position that the Morita patent discloses all of the limitations set forth in newly added claim 26, as explained in greater detail above.

Allowable Subject Matter

3. Claims 1-25 are allowed.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/14/2006

KATHY MATECKI SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600

Rathy Malecki

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